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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE COLLEGE ATHLETE NIL
LITIGATION

CASE NO. 4:20-cv-3919-CW

DECLARATION OF ERIC R. OLSON

Hon. Claudia Wilken

1 I, ERIC R. OLSON, declare as follows:

2 1. I am one of five partners and seven lawyers at Olson Grimsley Kawanabe Hinchcliff
3 & Murray LLC, a national trial and appellate firm based in Denver. Our lawyers have more than 100
4 collective years of experience in private practice and public service, on both the plaintiff and defense
5 side. Olson Grimsley attorneys have represented clients in some of the most significant civil rights,
6 antitrust, mass tort, consumer rights, and intellectual property matters of the past 20 years. The team
7 has tried both civil and criminal cases to judgement in 15 states and argued 21 cases in the U.S.
8 Supreme Court, the Colorado Supreme Court, the U.S. Courts of Appeals, and state courts of appeals.
9 Olson Grimsley's attorneys have been recognized for their exceptional work by Chambers USA,
10 Benchmark Litigation, Lawdragon, and numerous other publications. Three of our attorneys are
11 Fellows in the American College of Trial Lawyers, one is a member of the American Law Institute,
12 and one has been inducted into the International Society of Barristers.

13 2. **Sean Grimsley.** Sean Grimsley has been a lawyer for over 23 years. He clerked for
14 Judge Harry T. Edwards on the Court of Appeals for the District of Columbia Circuit, worked as a
15 Federal Public Defender in Washington, D.C., and then clerked for Justice Sandra Day O'Connor on
16 the United States Supreme Court. Mr. Grimsley worked as a trial lawyer at Bartlit Beck in Denver
17 starting in 2004 until he left to become the General Counsel of Ibotta, a large Colorado startup that
18 recently went public. He co-founded Olson Grimsley in 2023. Mr. Grimsley is a fellow of the
19 American College of Trial Lawyers. Mr. Grimsley was co-lead counsel in a ten-week trial in *US*
20 *Airways, Inc. v. Sabre Holdings Corporation*, a Section 1 and 2 antitrust case tried to verdict in the
21 Southern District of New York. Earlier this year, Mr. Grimsley was co-lead trial counsel with Eric
22 Olson in *Chase Manufacturing v. Johns Manville*, a Section 2 antitrust case in Colorado before Magistrate
23 Judge Michael Hegarty that resulted in a \$21 million judgment. Mr. Grimsley also tried another major
24 antitrust case, *American Airlines v. Sabre Holdings Corporation*, in state court in Texas that settled mid-
25 trial.

3. **Eric Olson.** I have been a lawyer for over 23 years. I clerked for District Judge John G. Heyburn III on the Western District of Kentucky, Judge Harry T. Edwards on the Court of Appeals for the District of Columbia Circuit, and for Justice John Paul Stevens on the United States Supreme Court. I worked as a trial lawyer at Bartlit Beck in Chicago and then Denver starting in 2003 until I left to become the Solicitor General of Colorado in 2019. I served as the Solicitor General of Colorado for nearly five years before I co-founded Olson Grimsley in 2023. I am a fellow of the American College of Trial Lawyers and a member of the American Law Institute. I have worked on several major antitrust matters. I played important roles in *RealNetworks v. Microsoft*, a Section 2 antitrust case in the Northern District of California that settled for \$750 million. As Solicitor General, I led antitrust negotiations with UnitedHealth Group and DaVita, leading to a rare state-court antitrust consent judgment filed in Colorado Springs. See Consent Judgment, *State of Colorado v. UnitedHealth Group, Inc. & DaVita, Inc.*, Case No. 2019CV31424. I also led the antitrust suit by Colorado to block the \$26 Billion Sprint and T-Mobile merger, and, after obtaining significant concessions, settled the case with substantial benefits to Colorado. Earlier this year, I was co-lead trial counsel with Sean Grimsley in *Chase Manufacturing v. Johns Manville*, a Section 2 antitrust case in Colorado before Magistrate Judge Michael Hegarty that resulted in a \$21 million judgment. In addition, as Solicitor General, I also designed and executed settlement strategies with McKinsey that led to a \$573 million, 49-state settlement for its work contributing to the opioid crisis and separately with local governments for a first-in-the-country agreement that brought \$740 million in opioid settlements to Colorado. On the defense side, I was co-lead counsel for Bayer in the *In re Genetically Modified Rice Litigation*, MDL No. 06-1811, before Judge Catherine Perry in the Eastern District of Missouri that involved more than 20,000 plaintiffs and settled after 7 jury trials in federal or state court, several of which I tried, for more than \$1 billion. I was liaison counsel for DuPont in *In re: Imprelis Herbicide Marketing Litigation*, MDL No. 11-2285, before Judge Gene Pratter in the Eastern District of Pennsylvania that settled for more than \$400 million.

I declare under penalty of perjury that the foregoing is true and correct.
Executed August 9, 2024.

Eric Olson

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record registered for electronic filing.

s/ Garrett R. Broshuis
Garrett R. Broshuis